



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.9971 of 2022

1 L.GANAPATHY
2 PUVILA
3 PUSHPAVATHY
4 LAKSHMANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR, TIRUVALLUR DISTRICT.
CR.NO. 16 OF 2022.

[RESPONDENT]

For Petitioner : M/S.N.SURIYA MUTHU Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners herein, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420 & 506(ii) of IPC, in Crime No.16 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side).

3. The complaint alleging cheating to the tune of Rs.1,50,00,000/- and eighty sovereign of gold jewels. The complaint has been given by one Kalaiselvi. On reading of the First Information Report, it indicates that the de facto complainant herein had developed acquaintance with the 1st petitioner and had affair with him, now fallen out which has lead to the filing of the complaint.

4. Considering the averments in the First Information Report, this Court finds that the custodial interrogation of these petitioners are not required. Hence this Court is inclined to grant



anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate, Tiruttani on condition that each of the petitioners shall execute a separate bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the Investigating Officer as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
TIRUTTANI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.SURIYA MUTHU Advocate on payment of necessary
charges Sr.6537

CRL OP.9971/2022

Date :28/04/2022

RVR 05/05/2022